



**Zoning Board of Appeals Agenda
Tuesday, May 18, 2021
5:30 P.M. – City Council Chambers, 2nd floor, City Hall
via video conference on Cisco Webex
425 East State Street
Rockford, IL 61104
779-348-7163**

Present:

ZBA Members:

Dan Roszkowski
Jennifer Smith
Kim Johnsen
Maurice Redd
Jennifer Spencer
Craig Sockwell
Tom Fabiano

Absent:

Staff:

Angela Hammer- City Attorney
Megan McNeill- Assistant City Attorney
Leisha Kury- Administrative Assistant
Scott Capovilla – Planning and Zoning Manager
Mike Rotolo- Fire Prevention Coordinator
Ebron Tyson – Videographer
Jeremy Carter - Traffic Engineer

Others:

Joanne Ely- Court Stenographer
Applicants and Interested Parties

Dan Roszkowski, Chair of the ZBA, stated that this meeting was being held remotely as the Mayor has determined that an in-person meeting is not practical or prudent because of the COVID-19 pandemic.

Scott Capovilla explained the format of the virtual meeting and the rules of procedure, as follows:

Due to the COVID-19 pandemic and social distancing restrictions, this public hearing for the Zoning Board of Appeals was held by video conference, using Cisco Webex. The audio was streamed at City Hall in Council Chambers and on the City's website.

As the host, he would be monitoring microphones and attendees during the meeting. Notices and agendas were posted and sent about this meeting which informed interested parties about the ways they could submit comments and questions regarding agenda items. This included: written public comments being submitted by 5:00 pm, on May 18, 2021 to Board Secretary Leisha Kury's email, or the City's permit

center located on the first floor at City Hall or coming to City Hall to listen to the meeting and present any comments in Council Chambers.

The agenda and staff recommendation packets were also posted on the City's website. All applicants on the conference had previously consented to proceeding with the virtual hearing. Some additional rules for the meeting:

- Please speak clearly and not too fast so the court stenographer can make an accurate record.
- Please be sure to identify yourself before speaking.
- Applicants and interested parties, after being sworn in by the Chair, please state and spell your name for the record.
- If you're not speaking and I fail to mute you, please mute yourself so that the meeting is not disrupted.
- No person will be allowed to speak unless they are first recognized by the Chair.
- All votes will be by roll-call.
- Since we're on video /audio, please refer to exhibits or page numbers, if applicable. All exhibits should have been provided prior to the meeting and within the recommendation packet. Due to this being a virtual hearing, applicants if you have any new exhibits that you want considered by the Board for your request, you may request a layover. Those exhibits will also need to be provided to staff and the public as part of the complete packet.
- If you are having any technical issues, please use the chat box function and send a message directly to me "Scott" or use the raise your hand function.
- Applicants, should you have technical issues or decide to lay your item over instead for whatever reason, please let the Board know when your item is called.
- LTAB applicants were given the option to be put "in the lobby" on the conference. This means that they would not be able hear or see anything during the ZBA meeting.

Lastly, the procedure would be as follows:

- The Chair will call the address of the application.
- The Applicant or representative will be unmuted and be sworn in.
- The Applicant or representative will present their request to the Board.
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties present at City Hall or any emails to be read into the record. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and state and spell their name for the record. Legal staff will read any written comments into the record that were received in advance.
- The Objector or Interested Party will state their name and present all their concerns, objections and questions regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions raised.
- Interested party at City Hall will have another opportunity to provide any additional follow up based on the Applicant's responses.
- The Board will then deliberate and a roll call vote will be taken.

The ZBA meeting is not a final vote on any item. However, it is the only time in which the public may participate. After the ZBA meeting, the item moves on to the Code & Regulation Committee. Although the public is invited to attend the meeting, public input is not allowed at the committee meeting. The date of the Code & Regulation meeting will be Monday, May 24, 2021, at 5:30 PM in City Council Chambers (2nd floor of City Hall) as the second vote on these items. The third and final meeting in this process is the City Council. That vote is tentatively scheduled on Monday, June 7, 2021. If the item is laid over at the ZBA meeting, the next meeting is Tuesday, June 15, 2021. If for any reason the item is laid over at the committee level or on the City Council floor, the item is automatically laid over for two (2) weeks.

The meeting was called to order at 5:35 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the April 20, 2021 meeting minutes. The motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 6-0 via roll call vote.

ZBA 006-21

Applicant
Ward 14

2208 and 2214 South Alpine Road

Miguel A. Urena

Special Use Permit for a Planned Unit Development consisting of two (2)-five family residences in a C-1, Limited Office Zoning District
Laid over from March, April meeting

Scott Capovilla stated staff has not been able to get ahold of the applicant via email and phone calls. This is the third time the applicant has not attended the meeting.

A **MOTION** was made by Tom Fabiano to **DISMISS for want of prosecution the** Special Use Permit for a Planned Unit Development consisting of two (2)-five family residences in a C-1, Limited Office Zoning District. The motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 7-0 via roll call vote.

ZBA 011-21

Applicant
Ward 14

5431 and 5463 International Drive

Carl Ratmeyer/ Tymar Holdings LLC

Special Use Permit for outdoor storage of rolls of conveyor belting and snow plow edging in an I-1, Light Industrial Zoning District

The Applicant, Carl Ratmeyer, was present. Mr. Ratmeyer stated he is not from Tymar Holdings. Mr. Ratmeyer asked if Scott Capovilla was able to forward the additional document that was sent. Scott Capovilla responded he did forward the document to all City members and posted on the City's website. Mr. Ratmeyer stated there is only one additional change, after speaking to the zoning planner Darius. It was proposed they plant trees and install a partial fence to seal some of the slabs they have.

Staff Recommendation is for Approval with four (4) conditions. No emails were read into the record.

An interested party, Todd Isaacs, was present. Mr. Isaacs stated he would like clarification if the property will be entirely fenced for the outside storage. Dan Roszkowski asked Todd Isaacs what is his relationship to the property. Mr. Isaacs responded he is the property manager north of the location, and he owns different buildings in the industrial park. Mr. Ratmeyer responded that 5431 International Drive will be fenced on the northeast side of the building where there are trees and not visible to the street.

Maurice Redd asked Scott Capovilla if staff agrees with the new additional change that was made. Mr. Capovilla responded they do agree because then conditions #2 and #3 would no longer be required. Mr. Ratmeyer's intention was to remove those conditions by submitting the new plan.

A **MOTION** was made by Maurice Redd to **APPROVE** Special Use Permit for outdoor storage of rolls of conveyor belting and snow plow edging in an I-1, Light Industrial Zoning District striking conditions #2 & #3. The motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 7-0 via roll call vote.

Approval is based on the following conditions:

1. Meet all applicable Building and Fire Codes.
2. That the outdoor storage of rolls of conveyor belting and snow plow edging will be limited to the highlighted areas on Exhibit D and Exhibit F.
3. Outside storage will be limited to rolls of conveyor belting and snow plow edging.
4. All conditions must be met prior to establishment of use.

**FINDINGS OF FACT FOR APPROVAL OF A SPECIAL USE PERMIT
FOR OUTDOOR STORAGE OF ROLLS OF CONVEYOR
BELTING AND SNOW PLOW EDGING
IN AN I-1, LIGHT INDUSTRIAL ZONING DISTRICT
LOCATED AT 5431 AND 5463 INTERNATIONAL DRIVE**

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance, or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage, and/or necessary facilities have been, are being, or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall conform to the applicable regulations of the I-1 District in which it is located.

ZBA 012-21

Applicant
Ward 3

1731 National Avenue

Joycelyn Speight

Variation to allow a 24 feet by 24 feet attached garage addition to the north side of the residence in the front yard along National Avenue and a Variation to reduce the required side yard setback from 6 feet to 3 feet along the west property line for the 24 feet by 24 feet attached garage addition to the north side of the residence in the front yard along National Avenue in a R-1, Single Family Zoning District

The applicant, Joycelyn Speight, was present. Dr. Speight stated the application is to add a garage on the property where it does not exist. Dr. Speight is requesting a variance to add a garage and reduce the required setback on the yard. Dr. Speight stated she leaves at various hours of the day and is trying to establish a secure and safe structure.

Jennifer Spencer asked the applicant where she currently parks. Dr. Speight responded she parks in front of the house. Jennifer Spencer asked if there is a garage in the back. Dr. Speight responded there is no garage, or any other covered structure.

Landscape Architect, Jim Wojtowicz, was present. Mr. Wojtowicz stated he has been working with Dr. Speight to come up with different solutions for her parking situation. Dr. Speight is just looking for a safe and convenient way to get to her garage and they worked together to get the front yard addition and get the courtyard design affect. Mr. Wojtowicz stated the neighborhood is not objecting to this variance and they are just trying to make it a well-designed structure being in an older neighborhood.

Jennifer Smith asked if the garage door would not be facing National Ave. Mr. Wojtowicz responded that was correct. The front view would be the side of the garage. Ms. Smith asked if they are adding additional asphalt. Mr. Wojtowicz responded they are decreasing the amount of impervious surface. Ms. Smith asked if Mr. Wojtowicz could explain what the design of the garage would look like. Mr. Wojtowicz responded the garage would have a covered roof walkway and on either side would have a structure that you would be able to see thru it to a certain extent. It would possibly have glass panels to keep the weather away but it would not be fully enclosed. It brings that courtyard feeling.

Jennifer Spencer asked if there is a possibility to move it 6 feet from the property line. Mr. Wojtowicz responded they could put it at the 6-foot requirement and it would still function.

Jennifer Spencer stated she had two concerns. Ms. Spencer stated the plan is very well thought out and cannot argue with the design and elevations and in keeping with the structure of the house. Ms. Spencer stated she is afraid that when she looks at an aerial of National Avenue, there aren't really other houses with garages or setbacks as close as this one. Ms. Spencer stated she is afraid that others would requests the same. Ms. Spencer stated her second concern is sometimes when they approved these proposals, budgets come into play, and things get chopped. Ms. Spencer stated she has seen beautiful things proposed, but due to the budget, the designs are changed. Ms. Spencer stated if this item is approved, she would like to see the detailed level and designs depicted in the exhibits. Dr. Speight responded she appreciates her concerns regarding the drawings, but this is a significant item that will definitely require specific materials along with good design and, from the beginning, she has worked to find someone who will put the same thought and experience to this proposal. Dr. Speight stated she is willing to submit samples of materials. Mr. Wojtowicz stated he was skeptical in the beginning when Dr. Speight requested to put a garage in the front yard because he knew it would require a variance to get this done. Mr. Wojtowicz stated the style of the National Avenue architecture would make this difficult but this could be actually be something neat and unique.

Maurice Redd asked staff if the setback was pushed to the six (6) feet would that change staff recommendations. Scott Capovilla responded it would not and they would still recommend denial. Mr. Capovilla stated they are abiding by the ordinance. Mr. Capovilla stated if the Board does approve this item, he recommends they set a condition, that the elevation be the same as that depicted in exhibit F.

Kim Johnsen stated she is a little concerned with how they are going to able to put a 24 x 24 feet garage on the site. Mr. Wojtowicz stated the garage is designed to scale, and might sound big but if the design does seem large, they could go lower in square footage. Mr. Wojtowicz stated they could submit architectural drawings as one of the conditions as well.

Jennifer Spencer asked if there is required landscape requirements for the 6-foot setback. Mr. Capovilla responded there is not, but would leave it up to the applicant if they would like to add grass or some sort of shrubs.

Staff Recommendation was for Denial of both requested variations. No objectors or interested parties were present. No emails were read into the record.

A **MOTION** was made by Kim Johnsen to **APPROVE** Variation to allow a 24 feet by 24 feet attached garage addition to the north side of the residence in the front yard along National Avenue and **DENIAL** Variation to reduce the required side yard setback from 6 feet to 3 feet along the west property line for the 24 feet by 24 feet attached garage addition to the north side of the residence in the front yard along National Avenue in a R-1, Single Family Zoning District. The motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 7-0 via roll call vote.

Approval is based on the following conditions:

1. Garage addition must be constructed per the elevations as shown on Exhibit F.

2. Submittal of an architectural elevation drawing for staff review and approval.

**FINDINGS OF FACT FOR APPROVAL OF A VARIATION
TO ALLOW A 24 FEET BY 24 FEET ATTACHED GARAGE ADDITION TO THE NORTH SIDE OF
THE RESIDENCE IN THE FRONT YARD ALONG NATIONAL AVENUE
IN A R-1, SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT
LOCATED AT 1731 NATIONAL AVENUE**

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation is based are unique to the property for which the Variation is sought and are not applicable, generally, to other property within the same zoning classification.
3. The purpose of this Variation is not based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

**FINDINGS OF FACT FOR DENIAL OF A VARIATION
TO REDUCE THE REQUIRED SIDE YARD SETBACK FROM 6 FEET TO 3 FEET
ALONG THE WEST PROPERTY LINE FOR THE 24 FEET BY 24 FEET
ATTACHED GARAGE ADDITION TO THE NORTH SIDE OF THE RESIDENCE
IN THE FRONT YARD ALONG NATIONAL AVENUE
IN A R-1, SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT
LOCATED AT 1731 NATIONAL AVENUE**

Denial of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would not result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation is based are not unique to the property for which the Variation is sought and are applicable, generally, to other property within the same zoning classification.

3. The purpose of this Variation is based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is not caused by this Ordinance and has been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does not comply with the spirit and intent of restrictions imposed by this Ordinance.

The following applications, 013-20 thru 019-21, were presented by Scott Capovilla from the City of Rockford. The Applications are murals associated with the Cre8tiv transformational art project in conjunction with the Rockford Area Convention & Visitors Bureau.

ZBA 013-20

Applicant
Ward 13

603 West State Street

City of Rockford/ Rockford Area Convention & Visitors Bureau
Modification of Special Use Permit #015-20 for additional Mural on the west side of the building in a C-3, General Commercial Zoning District

Scott Capovilla representing the City of Rockford was present as well as Kristen Paul from the Rockford Area Convention and Visitors Bureau. Mr. Capovilla stated a couple of years ago the City of Rockford and Rockford Area Convention & Visitors Bureau teamed up on a project to install murals through downtown via the Cre8tiv art project. This year they are back and they have chosen seven (7) locations with eight (8) murals. One of the locations, 603 West State Street, will have two murals with one on the east-facing wall and the other located on the second floor wall facing west.

Mr. Capovilla stated 1009 South Main Street is actually supposed to be 1019 South Main Street. The City may bring this back through the process next month because there was some issue with the building owner at 1009 South Main Street, so the switch was made to 1019 South Main Street.

The building at 126 North Madison Street is Magpies and the mural will be on the south facing wall.

The building at 311 S. Main is J-Bears and the mural will be on the south facing wall.

The building at 117 South 3rd Street is at Luna Datura and the mural will be on the North-facing wall.

The building at 509 East State Street is Social and the mural that will be located on the second floor on the west-facing wall.

The building at 1108 South Main Street is La Chiquita and the mural will be on the north Side of the building. Mr. Capovilla stated they are excited to have this project back and it's a great addition since they have expanded it down South Main Street.

Staff Recommendation is for Approval with four (4) conditions. No emails were read into the record.

An interested party, Katherine Forslund, was present. Ms. Forslund stated she lives at 208 North Madison Street. Mrs. Forslund stated she is here to support all of the murals that were presented and is specifically in support with the mural located at 126 North Madison Street.

A **MOTION** was made by Jennifer Smith to **APPROVE** Modification of Special Use Permit #015-20 for additional Mural on the west side of the building in a C-3, General Commercial Zoning District. The motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 7-0 via roll call vote.

Approval is based on the following conditions:

1. Submittal of mural elevation and placement of mural on building for staff's review and approval prior to installation.
2. A sign permit shall be required including an illustration of the proposed art work shall be submitted with the permit application.
3. The mural panels may not consist of a vinyl banner material within a frame.
4. The mural must be maintained to meet code.

**FINDINGS OF FACT FOR APPROVAL OF A
MODIFICATION OF SPECIAL USE PERMIT #015-20 FOR
ADDITIONAL MURAL ON THE WEST SIDE OF THE BUILDING
IN A C-3, GENERAL COMMERCIAL ZONING DISTRICT
LOCATED AT 603 WEST STATE STREET**

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance, or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall conform to the applicable regulations of the C-3 District in which it is located.

ZBA 014-21

Applicant
Ward 13

311 South Main Street

City of Rockford/ Rockford Area Convention & Visitors Bureau
Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use
Zoning District

No objectors or interested parties were present.

A **MOTION** was made by Jennifer Smith to **APPROVE** Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 7-0 via roll call vote.

Approval is based on the following conditions:

1. Submittal of mural elevation and placement of mural on building for staff's review and approval prior to installation.
2. A sign permit shall be required including an illustration of the proposed art work shall be submitted with the permit application.
3. The mural panels may not consist of a vinyl banner material within a frame.
4. The mural must be maintained to meet code.

**FINDINGS OF FACT FOR APPROVAL OF A
SPECIAL USE PERMIT FOR A MURAL ON A BUILDING
IN A C-4, URBAN MIXED-USE ZONING DISTRICT
LOCATED AT 311 SOUTH MAIN STREET**

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance, or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall conform to the applicable regulations of the C-4 District in which it is located.

ZBA 015-21

Applicant
Ward 5

1009 South Main Street

City of Rockford/ Rockford Area Convention & Visitors Bureau
Special Use Permit for a Mural on a building in a C-2, Limited
Commercial Zoning District

This application should reflect 1019 South Main Street. No objectors or interested parties were present.

A **MOTION** was made by Jennifer Smith to **APPROVE** Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 7-0 via roll call vote.

Approval is based on the following conditions:

1. Submittal of mural elevation and placement of mural on building for staff's review and approval prior to installation.
2. A sign permit shall be required including an illustration of the proposed art work shall be submitted with the permit application.
3. The mural panels may not consist of a vinyl banner material within a frame.
4. The mural must be maintained to meet code.

**FINDINGS OF FACT FOR APPROVAL OF A
SPECIAL USE PERMIT FOR A BUILDING MURAL
IN A C-2, LIMITED COMMERCIAL ZONING DISTRICT
LOCATED AT 1009 SOUTH MAIN STREET**

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance, or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall conform to the applicable regulations of the C-2 District in which it is located.

ZBA 016-21

Applicant
Ward 3

126 North Madison Street

City of Rockford/ Rockford Area Convention & Visitors Bureau
Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use
Zoning District

One interested party was present. Please see her statement listed under the 603 West State Street presentation which covered all the murals.

A **MOTION** was made by Jennifer Smith to **APPROVE** Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 7-0 via roll call vote.

Approval is based on the following conditions:

1. Submittal of mural elevation and placement of mural on building for staff's review and approval prior to installation.
2. A sign permit shall be required including an illustration of the proposed art work shall be submitted with the permit application.
3. The mural panels may not consist of a vinyl banner material within a frame.

4. The mural must be maintained to meet code.

**FINDINGS OF FACT FOR APPROVAL OF A
SPECIAL USE PERMIT FOR A BUILDING MURAL
IN A C-4, URBAN MIXED-USE ZONING DISTRICT
LOCATED AT 126 NORTH MADISON STREET**

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance, or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall conform to the applicable regulations of the C-4 District in which it is located.

ZBA 017-21

Applicant
Ward 3

117 South 3rd Street

City of Rockford/ Rockford Area Convention & Visitors Bureau
Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use
Zoning District

No objectors or interested parties were present.

A **MOTION** was made by Jennifer Smith to **APPROVE** Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 7-0 via roll call vote.

Approval is based on the following conditions:

1. Submittal of mural elevation and placement of mural on building for staff's review and approval prior to installation.
2. A sign permit shall be required including an illustration of the proposed art work shall be submitted with the permit application.
3. The mural panels may not consist of a vinyl banner material within a frame.
4. The mural must be maintained to meet code.

**FINDINGS OF FACT FOR APPROVAL OF A
SPECIAL USE PERMIT FOR A MURAL ON A BUILDING
IN A C-4, URBAN MIXED-USE ZONING DISTRICT
LOCATED AT 117 SOUTH 3RD STREET**

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance, or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall conform to the applicable regulations of the C-4 District in which it is located.

ZBA 018-21

Applicant
Ward 3

509 East State Street

City of Rockford/ Rockford Area Convention & Visitors Bureau
Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use
Zoning District

No objectors or interested parties were present.

A **MOTION** was made by Jennifer Smith to **APPROVE** Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 7-0 via roll call vote.

Approval is based on the following conditions:

1. Submittal of mural elevation and placement of mural on building for staff's review and approval prior to installation.
2. A sign permit shall be required including an illustration of the proposed art work shall be submitted with the permit application.
3. The mural panels may not consist of a vinyl banner material within a frame.
4. The mural must be maintained to meet code.

**FINDINGS OF FACT FOR APPROVAL OF A
SPECIAL USE PERMIT FOR A BUILDING MURAL
IN A C-4, URBAN MIXED-USE ZONING DISTRICT
LOCATED AT 509 EAST STATE STREET**

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance, or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall conform to the applicable regulations of the C-4 District in which it is located.

ZBA 019-21

Applicant
Ward 5

1108 South Main Street

City of Rockford/ Rockford Area Convention & Visitors Bureau
Special Use Permit for a Mural on a building in a C-2, Limited
Commercial Zoning District

No objectors or interested parties were present.

A **MOTION** was made by Jennifer Smith to **APPROVE** Special Use Permit for a Mural on a building in a C-2, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 7-0 via roll call vote.

Approval is based on the following conditions:

1. Submittal of mural elevation and placement of mural on building for staff's review and approval prior to installation.
2. A sign permit shall be required including an illustration of the proposed art work shall be submitted with the permit application.
3. The mural panels may not consist of a vinyl banner material within a frame.
4. The mural must be maintained to meet code.

**FINDINGS OF FACT FOR APPROVAL OF A
SPECIAL USE PERMIT FOR A BUILDING MURAL
IN A C-2, LIMITED COMMERCIAL ZONING DISTRICT
LOCATED AT 1108 SOUTH MAIN STREET**

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance, or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall conform to the applicable regulations of the C-2 District in which it is located.

ZBA 020-21

Applicant
Ward 3

202-208 North Madison Street

City of Rockford/ Rockford Area Convention & Visitors Bureau
Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use
Zoning District

The application was withdrawn prior to the meeting.

With no further business to come before the Board, the meeting was adjourned at 6:38 p.m.

Respectfully submitted,
Leisha Kury, Administrative Assistant
Zoning Board of Appeals